

## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee. Authorization for this examiner's amendment was given in a telephone interview with Ari Akmal on 5/15/2009.

Claim 7 (line 1): "A computer program product stored on a memory ...".

### ***Allowable Subject Matter***

Claims 1-20 are allowed.

The following is an examiner's statement of reasons for allowance: the cited prior art does not disclose or render obvious the combination of elements recited in the claims as whole. Specifically, the cited prior art fails to disclose or render obvious the following limitations:

As per independent claim 1, the claimed:

in a case where the region includes the second triangular shaped polygon, causing the CPU to determine whether a second distance from the lattice point to the second triangular-shaped polygon is measured or not, the second triangular-shaped polygon being included in the in a case where the second distance is measured and the first distance differs from the second distance, causing the CPU to select smaller one of the first and second distances;

in a case where the second distance is measured and the first distance is same as the second distance, causing the CPU to compare a first displacement between a first projection point of the lattice point on a first X-Y plane and a nearest lattice point with a second displacement between a second projection point of the lattice point on a second X-Y plane and a nearest lattice point, the first X-Y plane being a coordinate including a plane of the first triangular-shaped polygon, the second X-Y plane being a coordinate including a plane of the second triangular-shaped polygon;

As per independent claims 7 and 13, these claims are also allowed for the same reasons as independent claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL F. HAJNIK whose telephone number is (571)272-7642. The examiner can normally be reached on Mon-Fri (8:30A-5:00P).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ulka Chauhan can be reached on (571) 272-7782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Daniel F Hajnik/  
Examiner, Art Unit 2628

/Peter-Anthony Pappas/  
Primary Examiner, Art Unit 2628